

Part of #67

NOTED  
VS 7/21/98

755.35259X00  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. Wilson  
Serial No.: 08/818,717  
Filed: March 14, 1997  
For: IMPROVED GRAIN DRILL WITH ACCURATE  
METERING OF THE RATE OF PLANTING OF SEED  
Group: 3616  
Examiner: V. Batson

**DECLARATION OF STEVEN SCHOETTNER**  
**PURSUANT TO 37 C.F.R. §131 AND 28 U.S.C. §1746**

Assistant Commissioner  
for Patents  
Washington, D. C. 20231

Sir:

I, Steven Schoettner, declare as follows:

(1) I am neighbor of David E. Wilson residing in Greensburg, Indiana. I am in the agricultural business as a farmer. My agricultural business uses a John Deere tractor and grain drill for planting grain including soybeans.

(2) Before November 1996, I purchased a "Scale for Drill" from my neighbor, David E. Wilson, for a total of \$2,000.00. My check reflecting that purchase is attached as Exhibit A. The date of my check has been masked.

(3) The "Scale for Drill", which I purchased from David E. Wilson, from the date of its purchase was operational and I used it in my agricultural business from the date I purchased it to weigh the seed contained in the hopper of my grain drill to

control the planting rate of seed such as soybeans. The "Scale for Drill" included a support, including a weigh bar and a weight display, which David E. Wilson retrofitted to the grain drill used by my agricultural business. The weight display gave a read out visible from the rear of my tractor of the weight of the contents in the seed hopper of the grain drill.

(4) Attached hereto as Exhibit B is a photograph of my grain drill in use, retrofitted with the "Scale for Drill", which I purchased from David E. Wilson.

(5) Attached hereto as Exhibit C is a photograph of the grain drill retrofitted with the "Scale for Drill", which illustrates the weight display, which displays the weight of the seed in the hopper of the grain drill viewed from the rear of the grain drill. The grain drill is attached by a hitch to the tractor during use.

(6) Attached hereto as Exhibit D is a photograph of me and my son standing in front of the rear of the grain drill containing the "Scale for Drill" which I purchased from David E. Wilson which contained seed grain. I am informed by David E. Wilson that the hopper contained seed grain which the weight display displayed as "-1,019 lbs.". I chose to display the actual weight of the seed in the hopper as a negative number to simplify my calculation of the rate at which seed is planted per acre.

(7) Attached hereto as Exhibit E is a photograph of me sitting to the right side on top of the hopper of the grain drill retrofitted with the "Scale for Drill" which I purchased from David E. Wilson. The weight display of Exhibit C is shown in further detail in front of my right foot and in front of the left foot of my son, Scott. I am informed by David E. Wilson that the weight scale read the combined weight of me and my son to be "-553 lbs." which means our combined weight is the difference between -1,019 lbs. and -553 lbs which is 466 lbs.

(8) Attached hereto as Exhibit F is a photograph of me and my son standing in front of the end of the grain drill retrofitted with the "Scale for Drill" which I purchased from David E. Wilson. The mechanical elements of the support including weigh bars, which David E. Wilson retrofitted to my grain drill, are behind the elongated green plate which is held in place with bolts on the ends thereof.

(9) Attached hereto as Exhibit G is a photograph of me and my son standing in front of the end of my grain drill, retrofitted with the "Scale for Drill", which I purchased from David E. Wilson. The green plate has been removed to reveal the structure of the support part including weigh bars of the "Scale for Drill" which was retrofitted by David E. Wilson to the grain drill.

(10) The "Scale for Drill", which I purchased from David E. Wilson, operated from the time of its purchase to accurately weigh the contents of the hopper of the grain drill and has been

in use on my farm continuously from before November 1996. During the entire period of use of the "Scale for Drill" as retrofitted to my grain drill, it has always operated to accurately weigh the contents of the seed hopper which has been highly useful in my agricultural business to control the rate of application of seed during planting.

I declare under the penalty of perjury that the foregoing is true and correct.

June 24 1998  
Date

Steven Schoettmer  
Steven Schoettmer

Exhibit A

<b>S &amp; A SCHOETTMER INC</b> GREENSBURG IN 47240 PH (812) 893-4035		2450 5/10	
PAY TO THE ORDER OF <u>Lloyd Wilson</u>		⑈ 0609132 4147 123 04 ⑈ \$ <u>2,100.00</u>	
<u>Two Thousand</u>		1000	
State Street State Street Bank and Trust Company Boston, Massachusetts 02101		040376547 02 804346950	
FOR <u>Early for bill</u>		DOLLARS	